

APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

MINUTES

May 18, 2006 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:35 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Bill Fahey, Vice Chair
Grace Chewning
Gerald Ames
Stewart Fritz

Members Excused: Larry Lawver
Jay Ammon

Present & Sworn: Lefears Jackson Jr., Respondent, 06-35-CEB and 06-38-CEB
Christopher Qualmann, Respondent, 06-17-CEB
Karen Sweet, Wife of Registered Agent, 06-45-CEB
Dorothy Hird, Code Enforcement Officer, SCSO
Joann Tamulonis, Code Enforcement Officer, SCSO
Tom Helle, Deputy Building Official, Planning & Development
Maggie Ketcham, Senior Coordinator, Addressing
Pamela Taylor, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Deborah Leigh, Sr. Code Enforcement Officer, SCSO
Jerry Robertson, Code Enforcement Officer, SCSO

Others Present: Dan Mantzaris, Code Enforcement Board Attorney
Connie R. DeVasto, Planning Division
Valleta T. Ginyard-Fossitt, Clerk to the Code Board

IV Swearing in of Witnesses

Hugh Palmer, Attorney for Respondent – 06-33-CEB

V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

MOTION BY STEWART FRITZ, SECONDED BY GRACE CHEWNING, TO APPROVE THE PUBLISHED AGENDA.

**TOM HAGOOD – YES
GERALD AMES – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
BILL FAHEY - YES**

MOTION CARRIED 5 – 0.

The following cases were not heard today:

Diane Dampier, 06-34-CEB, Continued by Staff
Becky Mizzell, 06-36-CEB, Continued by Staff
Richard Demko, 06-40-CEB, Continued by Staff
J F VII Corporation, 06-41-CEB, Complied prior to hearing
Johnnie M. Glover, 06-42-CEB, Complied prior to hearing
Snipes & Taylor Enterprises, 06-46-CEB, Complied prior to hearing

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Case No. 06-33-CEB
EVERETT JR AND EMERSON MERRITT
C/O FRANKIE M. MERRITT
Code Enforcement Officer: Dorothy Hird
Complaint No: 2006CE000488

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3
(l).
Described as: 1) Junked or abandoned vehicle(s) not kept within an enclosed
garage or an attached carport.
Location: 1004 Williams Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-509-0000-011B

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird further testified that the property tends to have inoperable vehicles, but that the property is presently in compliance.

Officer Hird also testified that she has been receiving a lot of complaints from neighbors in the area.

Officer Hird stated that this is a reoccurring violation and the recommendation would be to impose a daily fine of \$75.00 per day, and if the violation is repeated past May 18, 2006, the fine shall continue to accrue at \$75.00 per day.

Hugh Palmer, Attorney, was present at the hearing to represent the Respondents and testified on their behalf.

Mr. Palmer stated that the Respondents live in New York and are in the process of selling the home to Mr. Grier, who has access and lives next door to the property.

Mr. Palmer stated that Mr. Grier, the buyer, has been placing the inoperable vehicles on the property.

Tom Hagood expressed that he appreciates the efforts that the Respondents have made to stay in compliance.

Stewart Fritz asked Officer Hird is the correct address for the property, 4 Williams or 1004 Williams.

Officer Hird informed the Board that the correct address is 1004 Williams according to the updated Property Appraiser's records.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Gerald Ames asked Mr. Palmer if Mr. Grier, the buyer of the property, was a business man.

Mr. Palmer replied yes to the question.

After discussion of this case by the Board:

**MOTION BY GERALD AMES, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-33-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 18-21-30-509-0000-011B) located at 1004 Williams Street, Altamonte Springs, located in Seminole County and legally described as follows:
S 94 FT OF LOT 11 (LESS RD) FROSTS ADD NO 2 TO
ALTAMONTE PB 1 PG 13
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (l).

It is hereby ordered that the Respondents are presently in compliance. In order to remain in compliance, the Respondents shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY VEHICLE(S) THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE(S) IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

It is further ordered that if the Respondents repeat this violation, a fine of **\$100.00** will be imposed for each day the violation is repeated past **May 18, 2006**.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 18th day of May, 2006, in Seminole County, Florida.

TOM HAGOOD – YES

GRACE CHEWNING – YES

GERALD AMES - YES

STEWART FRITZ – YES

BILL FAHEY - YES

MOTION CARRIED 5 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Bill Fahey asked Mr. Palmer, when the closing is scheduled for the buyer to purchase the property.

Mr. Palmer replied the end of May.

Grace Chewning asked Officer Hird if the property was in compliance.

Officer Hird stated yes, but that Mr. Grier, the buyer, tends to bring vehicles on the property.

Tom Hagood explained that there are cases that have repeat violations and the Board has to deal with each one on a case by case basis.

Bill Fahey asked if it would be possible for a no trespassing sign to be placed on the property until the property is sold.

Tom Hagood stated that is something the attorney and the client would have to handle.

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Case No. 06-35-CEB
LEFEARS JR AND THERESA JACKSON
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE002315

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (l) and (m) and Seminole County Land Development Code, Chapter 30, Section 30.1350.

Described as: 1) Junked or abandoned vehicle(s) not kept within an enclosed garage or an attached carport.
 2) Junked or abandoned boat not kept within an enclosed garage or an attached carport.
 3) No trucks with a rated load limit of more than two (2) tons or having more than two (2) axles may be parked or stored in any residentially zoned area.

Location: 124 East Street, Altamonte Springs (Commission District 4)
 Tax Parcel ID # 12-21-29-5BD-1200-0010

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird further testified that the boat on the property has a flat tire.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Officer Hird stated that the recommendation would be to remove the inoperable vehicles, trucks and boat from the property on or before June 9, 2006, or a fine of \$100.00 per day would be imposed and shall continue to accrue at \$100.00 per day until compliance is obtained.

Lefears Jackson, Respondent, was present at the meeting and testified on his own behalf.

Mr. Jackson stated that he has a trucking business and currently lives in Chicago, IL, but he is moving back to Florida by the end of this year.

Mr. Jackson stated he will not be able to move the vehicles until he returns to Florida. He also stated that the trucks are operable.

Mr. Jackson further testified that the property is outside of other residential communities and that the violations are not bothersome to anyone.

Grace Chewning asked Officer Hird what the zoning for the property is.

Officer Hird stated R-1 (Residential).

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY GERALD AMES, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW BE.**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-35-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 12-21-29-5BD-1200-0010) located at 124 E. Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 1 TO 5 & 22 & 23 BLK 12 SANLANDO
PB 3 PG 66

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l) and (m), and Seminole County Land Development Code, Chapter 30, Section 30.1350.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

It is hereby ordered that the Respondents correct the violations on or before **June 9, 2006**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) **REPAIR OR REMOVE ANY VEHICLE(S) THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE(S) IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**
- 2) **REPAIR OR REMOVE ANY JUNKED, DISMANTLED OR ABANDONED BOAT FROM THE SUBJECT PROPERTY OR STORE IN A GARAGE OR CARPORT.**
- 3) **REMOVE THE TRUCKS WITH A RATED LOAD LIMIT OF MORE THAN TWO (2) TONS AND HAVING MORE THAN TWO (2) AXLES REMAINING ON THE PROPERTY.**

If the Respondents do not comply with the Order, a fine of **\$100.00** will be imposed for each day the violations continue, or are repeated after compliance past **June 9, 2006**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 18th day of May 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
GERALD AMES - YES
STEWART FRITZ – YES
BILL FAHEY – YES**

GRACE CHEWNING – YES

MOTION CARRIED 5 – 0.

Mr. Jackson asked if he needs to repair the flat tire on the boat.

Tom Hagood informed Mr. Jackson that he needs to contact the Code Enforcement Officer for compliance issues and when compliance is obtained.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Case No. 06-38-CEB
LEFEARS JACKSON AND ALEX A BAILEY
Code Enforcement Officer: Dorothy Hird
Complaint No: 2006CE000169

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3
(l).
Described as: 1) Junked or abandoned vehicle(s) not kept within an enclosed
garage or an attached carport.
Location: 309 Magnolia Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-1200-0140

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation.

Officer Hird further testified that the vehicle has not yet been repaired.

Officer Hird stated that the recommendation would be to repair the inoperable vehicle on or before June 9, 2006, or a fine of \$75.00 per day would be imposed and shall continue to accrue at \$75.00 per day until compliance is obtained.

Lefears Jackson, Respondent, was present at the meeting and testified on his own behalf.

Tom Hagood asked the Respondent if he had anything to add.

Mr. Jackson explained that the house has been sold since 1997 and he is not the owner of the property.

Mr. Jackson further testified that the owner of the property is his step son, who lives in Chicago.

Tom Hagood asked the Respondent who currently lives at the property.

Mr. Jackson stated that Ms. Huston lives there.

Officer Hird stated that Mr. Jackson still owns the property in question.

Tom Hagood asked Officer Hird if there were any deeds to the property.

Officer Hird replied that there are no deeds.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Tom Hagood asked Dan Mantzaris, Code Enforcement Board Attorney, what could arise regarding the ownership of the property.

Dan Mantzaris stated that there is no question about ownership of the property, because the Property Appraiser's records show Mr. Jackson as the owner of said property.

Dan Mantzaris further stated that if there is a question about ownership, we would have to look further into the matter.

Tom Hagood asked the Respondent who controls the property.

Mr. Jackson replied that Ms. Huston's daughter lives in the house at this time.

Tom Hagood asked the Respondent if Ms. Huston is related to him.

Mr. Jackson replied that Ms. Huston is his Sister-In-Law.

Gerald Ames asked the Respondent if there is a bill of sale.

Mr. Jackson replied no and that the house has been sold since 1997 and there is no paper work related to that sale.

Tom Hagood asked Officer Hird if taxes on the property were paid and are they current.

Officer Hird stated that the taxes are current.

Officer Hird further testified that the Respondent told her that he owns this property and a couple other properties.

Dan Mantzaris stated that in legal respect, the County should have on file the correct owner's name and the owner of that property has control and should take the correct measures to comply.

Gerald Ames asked if this property was a homestead.

Officer Hird stated there is no homestead.

Tom Hagood stated that the Property Appraiser's records shows clear ownership of the property.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-38-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 12-21-29-5BD-1200-0140) located at 309 Magnolia Street, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOTS 14 & 15 BLK 12 SANLANDO
PB 3 PG 66
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (l).

It is hereby ordered that the Respondents correct the violation on or before **June 9, 2006**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY VEHICLE(S) THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE(S) IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

If the Respondents do not comply with the Order, a fine of **\$75.00** will be imposed for each day the violation continues, or is repeated after compliance past **June 9, 2006**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 18th day of May 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
GERALD AMES - YES
STEWART FRITZ – YES
BILL FAHEY - YES**

GRACE CHEWNING – YES

MOTION CARRIED 5 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Mr. Jackson asked if he had to move the vehicle.

Tom Hagood stated that the Respondent needs to contact the Code Enforcement Officer for compliance issues.

Tom Hagood further stated that the Board does not give permission or discuss compliance matters, but that the Code Enforcement Officer does.

Mr. Jackson stated that because he is not the owner of the property, he may have problems when he tries to gain access to the property.

Tom Hagood stated that obtaining access to the property is a different issue and that based on the evidence, compliance needs to be obtained.

Dan Mantzaris suggested that the Respondent try to obtain information that may prove he is not the owner of the property; and then contact the Code Enforcement Officer with that information, or otherwise seek legal help to get the records corrected to show true ownership.

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Case No: 06-17-CEB
BARBARA B & CHRISTOPHER QUALMANN
Code Enforcement Officer: Joann D. Tamulonis
Complaint No: 2005CE002231

The Board heard the violation on February 23, 2006, and an Order was entered. The Respondent was to obtain compliance by February 27, 2006. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer on February 28, 2006. A continuance to May 18, 2006 hearing was granted at the Board hearing on April 27, 2006. This property IS NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order Finding Non-Compliance and Imposing Fine/Lien constituting a lien for **\$20,000.00** for 80 days of non-compliance at \$250.00 per day from February 28, 2006, to and including May 18, 2006, and the fine shall continue to accrue at \$250.00 per day until compliance has been obtained. The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3 (o).
Described as: 1) Unsecured pool
Location: 421 Ruth Street, Longwood (Commission District 3)
Tax Parcel ID # 08-21-29-506-0A00-0130

Christopher Qualmann, Respondent, was present at the meeting and testified on his own behalf.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Mr. Qualmann requested a continuance per written request.

Dan Mantzaris, stated that according to written request, the Respondent is asking for a continuance of this case.

Mr. Qualmann believes that he is in substantial compliance, but that Officer Tamulonis does not agree.

Mr. Qualmann also stated that there are places where there are 4 to 5 inch gaps.

Dan Mantzaris stated that Mr. Qualmann does have a right to challenge compliance issues.

Mr. Qualmann stated that he does intend to oppose the lien when the Board imposes it to his property.

Officer Tamulonis stated that she opposes the continuance and wants to hear the case today.

Tom Hagood advised the Board that they need to make a decision on the request to continue prior to discussing the case any further.

Dan Mantzaris stated that if the case is continued, the fine of \$250.00 will continue to accrue and that the fine will not be reduced.

Gerald Ames asked Officer Tamulonis if she thinks the Respondent will comply.

Dan Mantzaris stated that the Board has done everything possible to help the Respondent to comply.

Gerald Ames asked what is the merit of granting a continuance and why should the Board grant it.

Tom Hagood suggested that the Board should move forward and hear the case since this case has been going on since the first Order was heard in February.

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation.

Officer Tamulonis further testified that she took pictures two (2) days ago and there is no temporary fencing on the property. She further stated that there are new and old sections of fence placed in the area on the property.

Gerald Ames asked Officer Tamulonis when were the pictures taken.

Officer Tamulonis stated two (2) days ago.

Officer Tamulonis further testified that not all the fencing needs to be replaced.

Officer Tamulonis further stated that Mr. Qualmann says he paid thousands to correct the violation, but it appears he did not spend over \$500.00.

Tom Hagood asked Officer Tamulonis if the deficiencies still exist.

Officer Tamulonis stated they do.

Officer Tamulonis stated that 8' foot sections of the fence are still open on one side, and on the other side, there is a 1 ½ to 2' foot opening.

Tom Hagood stated that according to the testimony of Officer Tamulonis, the Respondent is still not in compliance.

Officer Tamulonis replied that the Respondent is still not in compliance.

Officer Tamulonis further testified that she and Mr. Qualmann agreed to meet after the last hearing, but she had not heard from him to set up a date and time.

Tom Hagood asked Officer Tamulonis was there anything further.

Mr. Qualmann apologized for his outbursts and further stated that he feels Officer Tamulonis is purposely harassing him.

Tom Hagood suggested that the Respondent and Officer Tamulonis get together to work out compliance issues.

Mr. Qualmann stated he has left several messages on Officer Tamulonis' phone, but she never returns his calls.

Tom Hagood suggested that the Respondent focus on the matter at hand.

Mr. Qualmann asked to cross-examine Officer Tamulonis.

Mr. Qualmann asked Officer Tamulonis if she was aware of the construction going on at his home.

Officer Tamulonis stated she has noticed fresh wood in the area.

Tom Hagood asked if Officer Tamulonis would testify to where the Respondent stands at correcting the pool area.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Mr. Qualmann stated that he believes he is in compliance because he has replaced the gates, the fence, post, trees and the pool has been repaired.

Tom Hagood asked the Respondent if the pool was secured.

Mr. Qualmann answered yes.

Tom Hagood asked Officer Tamulonis to show him the pictures again from the evidence.

Tom Hagood asked the Respondent whether the picture taken on May 16 is a picture of his property.

Mr. Qualmann replied yes.

Mr. Qualmann stated that every gate and section of the fence is closed and secured.

Dan Mantzaris stated that if the Respondent can provide evidence that he is in full compliance, he may present the evidence to the Board.

Mr. Qualmann stated that he would like to have the opportunity to present the evidence to the Board.

Tom Hagood stated that according to the pictures presented by Officer Tamulonis, it appears that full compliance has not been obtained.

Mr. Qualmann claimed that the pictures from May 16, 2006, depicting the north side of the property, showing two (2) 8' foot sections missing, was not part of the original hearing. He further stated that these sections he decided to replace on his own.

Tom Hagood asked the Board if there were any other questions.

Bill Fahey stated that this was the first time he had ever seen the Board give more than 80 4 days for an unsecured pool.

Gerald Ames asked Officer Tamulonis how many hours does she think she spent on this case.

Officer Tamulonis stated about nine (9) hours.

Grace Chewning asked the Board if an Order could be placed stating that a lien could be imposed within 30 days from today's hearing if compliance is not obtained.

Dan Mantzaris stated that it is possible for the Order to specify those terms.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY STEWART FRITZ, THAT
THE ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN BE:**

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 08-21-29-506-0A00-0130) located at 421 Ruth Street, Longwood, located in Seminole County and legally described as follows:

LEG LOT 13 & BEG SE COR LOT 12 RUN W 228.91 FT N 3 FT N
86 DEG 55 MIN 53 SEC E 228.03 FT S 4 DEG 31 MIN E 15 FT TO
BEG & BEG NE COR LOT 14 RUN W 238 FT S 28 FT N 83 DEG
14 MIN 4 SEC E 239.93 FT TO BEG BLK A WEST BRANTLEY
LAKE ROAD HEIGHTS PB 9 PG 2

This case came on for public hearing before the Code Enforcement Board of Seminole County on February 23, 2006, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(o).

Said Order further stated that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by February 27, 2006.

The Code Enforcement Officer filed an Affidavit of Non-Compliance, which affidavit certified under oath that the required action had not been obtained as of February 28, 2006.

Accordingly, it having been brought to the Board's attention that the Respondents have not complied with the Findings of Fact, Conclusions of Law and Order dated February 23, 2006, the Board orders that, if an Affidavit of Compliance is not filed by the Code Enforcement Officer on or before June 16, 2006, a **lien** in the amount of **\$27,250.00** will be imposed, effective **June 17, 2006**, for 109 days of non-compliance at **\$250.00 per day** from February 28, 2006, through and including June 16, 2006, and the fine shall continue to accrue at **\$250.00 per day** for each day the violation continues or is repeated past **June 16, 2006**.

The Respondents must contact the Code Enforcement Officer to arrange for an inspection of the property to verify compliance. The fine imposed shall continue to accrue until the Code Enforcement Officer inspects the property and establishes the date of compliance.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 18th day of May 2006, in Seminole County, Florida.

TOM HAGOOD – YES GRACE CHEWNING – YES
GERALD AMES - YES
STEWART FRITZ – YES
BILL FAHEY – YES

MOTION CARRIED 5 – 0.

Gerald Ames asked if this motion would address the fine.

Dan Mantzaris stated that the fine will still accrue and if compliance is not met, the fine would be imposed as a lien.

Tom Hagood stated if compliance was met, then the fine would stop accruing.

Mr. Qualmann stated he wanted to request a new Code Enforcement Officer for his case.

Dan Mantzaris informed the Respondent he would have to contact the Sheriff's Office to address that issue.

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Case No. 06-37-CEB
ABRAHIM ALIM
Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Enclosed carport without the required permits.
Location: 3562 Bougainvillea Drive, Winter Park, (Commission District 4)
Tax Parcel ID # 34-21-30-506-1000-0020

Tom Helle, Deputy Building Official, testified on behalf of the County and entered into evidence photographs of the violation.

Tom Helle stated that the recommendation would be to obtain the required permits on or before June 30, 2006, or a fine of \$150.00 per day would be imposed and shall continue to accrue at \$150.00 per day until compliance is obtained.

The Respondent was not present at the meeting.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-37-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 34-21-30-506-1000-0020) located at 3562 Bougainvillea Drive, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 2 BLK 10 EASTBROOK SUBD UNIT 5
PB 12 PG 81

- (b) in possession or control of the property; and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent correct the violation on or before **June 30, 2006**. In order to correct the violation, the Respondent shall take the following remedial action:

**1) OBTAIN THE REQUIRED PERMITS FOR THE ENCLOSED
CARPORT.**

If the Respondent does not comply with the Order, a fine of **\$150.00** will be imposed for each day the violation continues, or is repeated after compliance past **June 30, 2006**.

The Respondent is further ordered to contact the Seminole County Deputy Building Official to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Deputy Building Official inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

DONE AND ORDERED this 18th day of May 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
GERALD AMES - YES
STEWART FRITZ – YES
BILL FAHEY - YES**

GRACE CHEWNING – YES

MOTION CARRIED 5 – 0.

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Case No. 06-43-CEB
LEON ALLEN, NORMAN ALLEN,
BOBBY ALLEN AND ANNIE KIMBROUGH
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE002296

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3
(l).
Described as: 1) Junked or abandoned vehicle(s) not kept within an enclosed
garage or an attached carport.
147 Jackson Street, Altamonte Springs, (Commission District 4)
Tax Parcel ID # 18-21-30-503-0C00-0140

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation.

Officer Hird stated that the recommendation would be to remove or repair inoperable vehicle(s) from the property on or before June 9, 2006, or a fine of \$75.00 per day would be imposed and shall continue to accrue at \$75.00 per day until compliance is obtained.

Gerald Ames asked Officer Hird if the vehicles were owned by the Respondent and was the Respondent operating a business.

Officer Hird stated all vehicles are owned by the Respondent.

The Respondent was not present at the meeting.

After discussion of this case by the Board:

**MOTION BY STEWART FRITZ, SECONDED BY GERALD AMES, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-43-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 18-21-30-503-0C00-0140) located at 147 Jackson Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 14 (LESS THE S 33 FT OF THE EAST 19 FT) BLK C 1ST
ADD TO GROVE TERRACE PB 7 PG 48

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (l).

It is hereby ordered that the Respondents correct the violation on or before **June 9, 2006**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY VEHICLE(S) THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE(S) IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

If the Respondents do not comply with the Order, a fine of **\$75.00** will be imposed for each day the violation continues, or is repeated after compliance past **June 9, 2006**.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 18th day of May 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
GERALD AMES - YES
STEWART FRITZ – YES
BILL FAHEY - YES**

GRACE CHEWNING – YES

MOTION CARRIED 5 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Case No. 06-45-CEB
CRIB 4 LIFE INC AND
JAMES LILLO, REG AGENT
Code Enforcement Officer: Joann D. Tamulonis
Complaint No: 2004CE000207 & 2006CE000271

Violation Charged: Seminole County Land Development Code, Part 65, Chapter 30,
Section 30.1245.

Described as: 1) Prohibited signs, snipe signs, freestanding signs, any sign
which advertises any activity, business, product, or service,
banners, pennants, flags, balloons and similar displays.
704 West State Rd 436, Altamonte Springs, (Commission District 3)
Tax Parcel ID # 16-21-29-501-0000-0700

Tom Hagood informed the Board that the Registered Agents wife, Karen Sweet,
was present and requesting continuance of the case.

Karen Sweet, Registered Agent's wife, stated that she would rather have the
Board wait until her husband can attend the meeting to testify on his own behalf.

Officer Tamulonis stated that she is concerned that Mrs. Sweet does not have the
authority to make that request and she wants to hear the case.

After discussion of this case by the Board:

**MOTION BY GERALD AMES, SECONDED BY GRACE CHEWNING, THAT
THE CASE BE CONTINUED TO THE JUNE 22, 2006 HEARING.**

TOM HAGOOD – NO GRACE CHEWNING – YES
GERALD AMES - YES
STEWART FRITZ – YES
BILL FAHEY – NO

MOTION CARRIED 3 – 2.

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AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No. 06-09-CEB
C&K PROPERTY HOLDINGS LLC
Seminole Co Addressing: Maggie Ketcham
File No: AD-05-004

This case was originally heard by the Board on March 23, 2006. An Order was entered giving the Respondent a compliance date of April 7, 2006. An Affidavit of Non-Compliance was filed by Maggie Ketcham on April 12, 2006. An Affidavit of Compliance was filed by Maggie Ketcham on May 17, 2006. This property IS PRESENTLY in compliance.

RECOMMENDATION: The Board issue an Order Finding Compliance and Imposing Fine/Lien constituting a lien for **\$9,750.00**, for 39 days of non-compliance at \$250.00 per day from April 8, 2006, through and including May 16, 2006. The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Ordinance 2000-22, 90.5(a)
Described as: 1) Incorrect address posted and in use
Location: 195 W. Highland Street, Altamonte Springs, (Commission District 3)
Tax Parcel ID # 01-21-29-5CK-670B-0170

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, THAT ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 01-21-29-5CK-670B-0170) located at 195 Highland Street West, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 17 & 18 BLK B TRACT 67 SANLANDO SPRINGS
PB 4 PG 65

This case came on for public hearing before the Code Enforcement Board of Seminole County on March 23, 2006, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
MAY 18, 2006

Said Order found Respondent in violation of Ordinance 2000-22, 90.5 (a).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by April 7, 2006.

Maggie Ketcham, Senior Coordinator, filed an Affidavit of Non-Compliance, which affidavit certified under oath that the required action had not been obtained as of April 12, 2006.

Maggie Ketcham, Senior Coordinator, filed an Affidavit of Compliance, which affidavit certified under oath that the required action had been obtained as of May 17, 2006.

Accordingly, it having been brought to the Board's attention that the Respondent has complied with the Findings of Fact, Conclusions of Law and Order dated March 23, 2006, the Board orders that a **lien** in the amount of **\$9,750.00**, for 39 days of non-compliance at **\$250.00 per day** from April 8, 2006, through and including May 16, 2006, be imposed against the property.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 18th day of May 2006, in Seminole County, Florida.

TOM HAGOOD – YES

GRACE CHEWNING – YES

GERALD AMES - YES

STEWART FRITZ – YES

BILL FAHEY - YES

MOTION CARRIED 5 – 0.

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VII Approval of the minutes from the meeting of April 27, 2006:

**MOTION BY BILL FAHEY, SECONDED BY GERALD AMES,
TO APPROVE MINUTES FROM THE MEETING OF APRIL 27, 2006.**

TOM HAGOOD – YES

GRACE CHEWNING – YES

GERALD AMES – YES

STEWART FRITZ – YES

BILL FAHEY - YES

MOTION CARRIED 5 – 0.

VIII Confirmation date of next meeting: June 22, 2006.

**Tom Hagood will be out of town for the June 22, 2006 Meeting.
Vice Chair Bill Fahey will be conducting that meeting.**

IX Old Business – None

X New Business –

Gerald Ames stated that he talked to someone at the Sheriff's Office and was advised that the costs to process Code Board cases included salaries, benefits, vehicle maintenance etc.

Gerald Ames further stated that the costs would be somewhere around \$34.80 per hour.

Tom Hagood asked Officer Leigh what she thought the approximate costs were.

Officer Leigh stated approximate cost could be around \$36.00 an hour.

Tom Hagood asked how many of the 40 hour working days attribute to processing a case and how is it calculated.

Officer Leigh stated each individual Officer calculates their own hours of processing for each case.

Officer Leigh quoted Florida Statue 162 and stated that on top of the fines, the amount of administrative costs could be added.

General discussion went on about this issue.

Tom Hagood stated the Board could reinforce to the Code Officers to prepare documentation listing the hours and costs that it takes for each case to be processed.

Officer Leigh stated that the goal is compliance not money.

Gerald Ames stated that the Board's only leverage is money.

Tom Hagood stated that the Code Enforcement Board must be firm with the Respondents.

Dan Mantzaris stated that a decision must be made on a case by case basis.

Officer Leigh stated individual Officers keep track of that information.

Tom Hagood asked if each Officer could prepare a report of the monthly count and send it to the Clerk each month.

Bill Fahey stated that the public could be interested in us providing that information.

Tom Hagood stated that maybe we should include the information on the monthly agenda.

Tom Hagood also requested that the data be given to the Clerk every month.

Dan Mantzaris stated that would probably be a good source of information to see how Staff spends time case by case.

XI Adjourn – There being no further discussion, this meeting was adjourned at 3:00 P.M.

Respectfully submitted:

**Valleta T. Ginyard-Fossitt
Clerk to the Code Enforcement Board**

**Tom Hagood
Chair**

May 18, 2006 minutes